

ATTACHMENT - REMARKS

Considering the matters raised in the Office Action in the same order as raised, and turning first to the Restriction Requirement, while it is noted that the Examiner has still not shown that different fields of search are involved here with the different species but, instead, has merely stated that this is the case, applicant has canceled claims 1-5 and 21-25 which have been withdrawn from further consideration. Cancellation of these claims is, of course, without prejudice, and applicant reserves the right to file one or more divisional applications directed to the subject matter of claims 1-5 and 21-25.

Claim 20 has been rejected under 35 U.S.C. 112, second paragraph, as being "indefinite." While it is not seen that original claim 20 is actually "unclear as to whether or not the flexible sleeve in the depending claim requires an additional sleeve or if this limitation is the same sleeve," claim 20 has been amended to recite that the "flexible sleeve comprises an extendable and contractible sleeve member" so as to eliminate any possible ambiguity regarding the use of the word "sleeve" in the claims.

Claims 6-18 have been rejected under 35 U.S.C. 102(b) as being "anticipated by" Le Clair. This rejection is respectfully traversed although claim 6 has been amended to even further distinguish over the Le Clair reference.

It is respectfully submitted that Le Clair does not disclose an isolation zone defined by an annular recess as claimed in original claim 6. Moreover, the isolation zone is now defined as "disposed intermediate the mounting member and the valve element," and it is respectfully submitted that this limitation further distinguishes over Le Clair.

Considering the Le Clair patent in more detail, it is respectfully submitted that the Examiner has not clearly set forth the manner in which claim 6 is being read on Le Clair. Le Clair discloses a valved lubrication nozzle including, *inter alia*, a head comprising an upper cylindrical part 33 and a lower partly-hemispherical part 34 of larger diameter. A valve teat 35 formed with a lubricant passage 36 is captured in the opening created by the head of the nipple shown in Figure 2 and in Figure 12 relied on by the Examiner.

The Examiner has not clearly indicated which part of teat 35 is being read as a mounting member and which part is being read as a valve element, and, in any event to the extend that element 136 is being read as the claimed "isolation zone," it is clear that element 136 is simply a passage having "a measureable diameter" (see column 11, the last full paragraph) and not an annular recess. Elsewhere in the Office Action, viz., in the rejection of claim 12, the Examiner appears to be reading the "isolation zone" on the upper narrowed portion of the teat adjacent element 142 of the head. This reading by the Examiner is discussed below.

Further, Le Clair does not disclose or suggest an annular recess which is "configured to reduce the likelihood of the collapsible aperture opening under application of external operational forces to the mounting member" as claimed in claim 6. In contrast, Le Clair, in the embodiment of Figures 10-13, a space is provided between the head of the teat and the nipple housing in which the teat is received wherein "the displaced rubber can readily flow" (see column 12, lines 30-34). This means that, according to the teachings of Le Clair, the surrounding space allows for lateral displacement of the rubber of the teat when the needle stem of the nozzle enters the lubricant passage 36, rather than requiring that the rubber of the teat is displaced

longitudinally (see column 12, lines 20-29). Thus, it is clear that neither the passage 136 nor the space surrounding the head of the teat serves to isolate the mounting member from the valve element as claimed.

Further, Le Clair simply does not disclose an "isolation zone" as claimed wherein the isolation zone is "disposed intermediate the mounting member and the valve element" as is evident from the discussion above and the showing in Figure 12.

Further, it is respectfully submitted that amended claim 6 additionally defines over Le Clair in (1) reciting "a sports ball" valve whereas Le Clair is concerned with a "valved lubrication nozzle," and in (2) reciting that the valve is of "one-piece construction" whereas in each of the embodiments of Le Clair, a multiple component nozzle-valve combination is employed. Thus, amended claim 6 patentability defines over Le Clair for these reasons as well.

Claims 6, 15, 19 and 20 have been rejected under 35 U.S.C. 103(a) as being "unpatentable over" Olson in view of Le Clair. This rejection is respectfully traversed.

Olson describes a valve stem or plug including a body 18 of "greater volume than the cavity 14" of casing 12 (see column 2, line 32). This means that the rib 24 of the casing exerts an annular contracting pressure and grips the valve stem firmly in place within the internal cavity 14 of the casing 12. These forces also ensure that the puncture opening 22a of the valve plug is held tightly sealed against the escape of inflating pressure (see page 2, line 7-15).

It is respectfully submitted that Olson simply does not disclose an isolation zone as claimed, and in this regard, reduced neck 19 does not function as such an isolation zone and, moreover, is not disposed as claimed in amended claim 6. Olson is instead

concerned with providing intimate and constrictive contact between the casing and valve plug as discussed above and as illustrated in Figures 6 and 7.

It is important to note that neither Le Clair nor Olson discloses an isolation zone comprising an annular recess, which is "disposed intermediate the mounting member and the valve element" as now claimed in claim 6. In Le Clair, both (1) the lubricant passage 136 and (2) the space surrounding the upper portion of the teat are located in what would have to be read as a mounting region of the teat. This means that pressure on the teat at this mounting region is, in fact, transferred to (and not isolated from) the teat so as to promote closure of the open end 138 (see column 12, lines 34 to 39).

In Olson, the reduced neck 19 of the valve stem or plug is compressed into the internal cavity 14 of the casing 12 and, with this arrangement, promotes closure of the bore (see Figures 2 and 7). The reduced neck 19 connects to the casing 12 at the restricted neck 15, i.e., what would be assumed to be the mounting region of the valve of Olson.

It is also noted that Olson describes an illustrated valve of two piece construction comprising the casing of Figure 1 and the valve stem or plug of Figure 2 and thus, claim 6, which recites a one-piece construction, defines over Olson for this reason as well.

In summary, for the reasons discussed above, it is respectfully submitted that claim 6 defines over Le Clair and Olson, however the teachings of these two references are combined and assuming *arguendo* that the teachings of the two references are properly combinable.

Turning to the dependent claims, claim 7 has been amended to recite that the collapsible aperture is arranged to open under fluid pressure alone without relying upon

an injector which penetrates the collapsible aperture. Support for this amendment is provided at page 6, lines 3-5 wherein it is stated that "the sports valve 10 is designed to be used without an injector whereupon the inflating pressure alone of the inflation fluid, most typically air, serves to open the collapsible aperture 20 into its open condition," and at page 8 lines 17 and 18, wherein it is stated that the "valve can be actuated or opened relying on the inflating pressure alone and as such an injector is not required." It is respectfully submitted that the claim language added to claim 7 clearly distinguishes over Le Clair and Olson in that the valves of both references rely on injectors. For example, Le Clair discloses, at column 6, lines 43 to 45, "the needle end of the piston stem 23 being forced into the end of passage 11 in the rubber teat" and, at column 10, lines 67-74 where "the needle-like stem 102 is forced into the lubricant passage 96 in the teat." Similarly, the rubber valves of Olson are described as being inflated "by an inflating needle," see page 1, lines 5-8. Reference is also made to page 1, lines 24 and 25 and page 2, lines 20-27. Thus, it is respectfully submitted that dependent claim 7 further distinguishes over the Le Clair and Olson patents.

The remaining dependent claims are patentable for at least the reasons set forth in support of the patentability of the claims parent thereto.

Allowance of the application in its present form is respectfully solicited.

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